

REMARKS/ARGUMENTS

Claims 1-8, 10, 15-21 and 23-28 remain in the application for further prosecution. Applicant has amended claims 1 and 21.

Personal Interview and Interview Summary

The Applicant notes with appreciation the interview conducted with Examiners Hu and Hotaling on July 10, 2008. Applicants reviewed and presented arguments to distinguish the features of claim 1 in view of the cited Acres and Luciano references. The Examiners indicated that they would consider the arguments outlined in this paper with regard to patentability.

Claim Rejection - 35 U.S.C. § 103

Claims 1-8, 10, 15-21 and 23-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,887,154 (“Luciano”) in view of U.S. Patent No. 6,319,125 (“Acres”).

The Office Action conceded that Luciano did not disclose randomly selected bonuses to be awarded and randomly selecting more than one but less than all of the players to be awarded the randomly selected bonuses. (p. 2). The Office Action asserts that Acres discloses that when the player wins the game, a jackpot is awarded and that bonus prizes are awarded in the form of a main bonus prize and secondary prizes with seven different forms and combinations of bonuses. (p. 3). The Office Action asserts, without citing specific support, that Acres allows the selection of different prizes that are randomly selected for a random selection of players.

As explained in the Interview, Acres generally relates to a gaming system with bonus prizes that may include one of several promotions such as a cash bonus, a mystery prize, a progressive jackpot, etc. (Col. 4, ll. 21-30 and Fig. 1). Acres discloses seven different forms of bonus prizes, however, only three of the bonus prizes are awarded to some subset of the players

if one player hits a jackpot, namely, the cash bonus, mystery bonus and progressive bonus described on Col. 4, l. 65 to Col. 9, l. 13. The other forms of bonuses in Acres such as welcome back bonus, match play bonus or personal progressive bonus are awarded only to qualified individual players alone. (See e.g., Col. 9, ll. 14-19, ll. 58-61, Col. 12, ll. 58-61 and Col. 14, ll. 61-63). For the multiple player bonuses, only one form of bonus prize can be awarded since the awarding of each of the forms of bonus prize is triggered by the coin-in collected pushing a prize pool over a certain threshold amount, such as a cash bonus amount or a randomly determined amount that is specific to that form of bonus prize. (See e.g., Col. 4, l. 66 - Col. 5, l. 1, Col. 5, l. 66 – Col. 6, l. 3, Col. 8, ll. 1-9). Since the thresholds for each form of bonus prize are triggered from the coin-in there cannot be two different forms of bonus prizes in Acres, since the lower threshold bonus prize would always be triggered and therefore the second bonus prize could never be awarded. Applicant therefore contends that the relevant disclosure in Acres is a specific form of bonus prize such as the mystery prize as discussed on Col. 5, l. 65 to Col. 7, l. 64 and as pointed out by the Examiner in the Interview.

For each of the cash bonus, mystery bonus and progressive bonus forms, the bonus prize is awarded to a selected eligible player, while all the remaining players are awarded a fixed consolation prize. (see e.g., Col. 5, ll. 41-45 for the cash bonus prize, Col. 7, ll. 35-40 for the mystery bonus, Col. 55-59 for the progressive jackpot bonus prize). As explained in the interview, Acres does not randomly select players as all players receive a consolation prize in any of the multi-player bonus forms. Thus, Acres does not disclose excluding players from being awarded any prize. The exclusion of players heightens the anticipation when a jackpot is triggered in the bank of eligible games as player anticipate receiving an award but understand

that they could be excluded. Thus, excitement is generated from the potential exclusion of the player from any prize unlike in Acres where all players are guaranteed something.

Applicant has amended independent claim 1 to require “excluding at least one player from being awarded any bonus” in addition to “randomly selecting more than one but less than all of said players to be awarded the randomly selected bonuses and excluding at least one player from any bonus.” Similarly, independent claim 21 has been amended to require “excluding at least one player from winning any award.” All of the players in the Acres bonus forms either are awarded either the jackpot prize or a consolation prize. Even within the mystery bonus form discussed in the Interview, multiple mystery bonuses may be available but players who do not receive the multiple mystery bonuses are guaranteed a consolation prize. Thus, Acres does not disclose excluding players from any prize, since only one player receives the promotional prize and all other players receive the consolation prize in the cash bonus, mystery bonus and progressive bonus forms.

Independent Claims 1 and 21 are separately allowable over Acres reference because they require “when an outcome occurs in the underlying wagering game that identifies that a jackpot is to be awarded to at least one of the players.” Acres does not identify that a jackpot or any other bonus award is awarded based on an outcome occurring in the underlying wagering game. Acres discloses triggering a jackpot when the coin-in collected, prior to any outcome in the wagering game, allows the cash bonus pool to exceed a cash bonus amount or the mystery threshold amount for the mystery bonus or progressive jackpot. (Col. 4, l. 66 - Col. 5, l. 1, Col. 5, l. 66 – Col. 6, l. 3, Col. 8, ll. 1-9).

Further these claims also require “randomly selecting bonuses to be awarded in the special bonus event.” The Office Action has focused on the mystery bonus in Acres as

disclosing the random selection of bonuses. However, the mystery bonus actually randomly selects the initial jackpot won by the initial player such as between a car, a large cash prize or a rapid hit mystery prize which is awarded to one player only. (Col. 7, ll. 27-30). Therefore, the mystery prize is awarded to a single player and the consolation prize is a set amount awarded to the remainder of the players and therefore does not randomly select bonuses for the other players as required by the claims. (Col. 7, ll. 31-32). The independent claims require randomly selecting bonuses, not simply one bonus jackpot as disclosed by Acres. Since Acres does not disclose randomly selecting multiple bonuses for players other than the jackpot winner, it does not anticipate the pending claims.

Conclusion

It is Applicant's belief that all of the claims are now in condition for allowance and actions towards that effect is respectfully requested.

If there are any matters which may be resolved or clarified through a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the number indicated.

Respectfully submitted,

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